

Serial No. 10/020,945

Docket No.: 1293.1071D4

**REMARKS**

In accordance with the foregoing, claims 9 and 23-25 have been amended, and new claims 26-28 have been added. No new matter has been submitted.

Claims 6 and 7 have been allowed, and claims 10, 20 and 22 have been indicated as including allowable subject matter. The Office Action Summary indicated that claim 10 was allowed, but claim 10 actually depends from rejected claim 9.

Claims 6, 7, 9, 10 and 16-28 are pending and under consideration.

An interview with the Examiner was conducted on November 15, 2004, wherein the Examiner and applicant agreed that the outstanding Office Action was a non-final Office Action, and further agreed that the pending claims, including the above amendments, were potentially in allowable condition.

The Examiner and applicant agreed that the primary reference, Igarashi et al., U.S. Patent No. 5,805,539, failed to disclose or suggest the claimed write protection information, i.e., Igarashi et al. only disclosed some type of protection for particular ranges of clusters, while the independent claims require write protection for the entire user area. In addition, Igarashi et al. failed to disclose the checking of both write protection information stored on the recording medium and a write protection state of a write inhibit hole, in independent claim 9. Igarashi et al. further failed to disclose that the write protection was stored in an RMA area of the recording medium, as recited in independent 16.

It was further agreed that none of the cited references, in combination, with Igarashi et al. disclosed the presently claimed invention.

The Examiner was interested in Ito et al., U.S. Patent No. 6,243,340, whether Ito et al. could be considered to disclose or suggest the claimed write protection, and whether Ito et al. further included a checking of both write protection on a medium and write protection on a carriage.

Ito et al. would appear to only disclose a system to enable separate reproduction of information on a rewritable optical disc or a write-once (WO) optical disc in a standard DVD player/recorder. Ito et al. briefly discusses the conventional use of a carriage to indicate what type of optical disc is actually present, i.e., rewritable (presumably DVD RAM in Ito et al.) or WO. Ito et al. also notes that such an indication can also be stored on the optical disc itself. With this disc type indicator, any player/recorder will then know exactly what type of disc has been entered and what type of file system/arrangement would then be expected on the optical disc. See Ito et

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al. in col. 2, lines 5-18 and col. 4., line 60, through col. 5, line 25.

Thus, Ito et al. does not appear to disclose any write protection for the entire user area, or a checking of write protection information recorded on a medium and write protection information recorded on a carriage or case. In Ito et al., the disc type identifier, is nothing more. Just a disc type identifier. The remaining portions of Ito et al. would appear to describe how the DVD enabling aspect of the invention can be implemented in either the identified rewritable disc or the WO disc.

It is briefly noted, in Ito et al., that the disc identifier in the rewritable disc is not a write protection information, as the identifier is always the same for the inherent capabilities of the disc, i.e., the disc is a rewritable disc, so it can be written to. Similarly, the disc identifier in a WO disc is not a write protection information, as the identifier is always the same for the inherent capabilities of that disc, i.e., the disc is a WO disc, so it cannot be written to. The separate described identifiers cannot pertain to 'write protection' of their respective discs, since the underlying disc is already, respectively, always writable (rewritable disc) or always non-writable (WO disc).

Thus, Ito et al. would not provide any additional disclosure or suggestion, alone or in combination with alternative prior art, to disclose the presently claimed invention

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

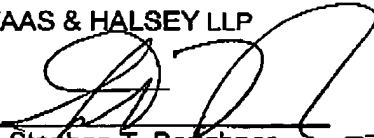
Respectfully submitted,

STAAS & HALSEY LLP

Date:

11/18/04

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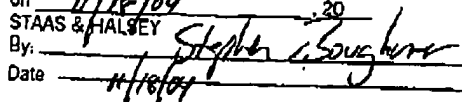
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